IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 10689 of 2005

Between:

Kampa Tirupathayya S/o. Ramayya
R/o. H.No. -1-725/A/7, Gandhi Nagar, Hyderabad-A.P.

... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. it's Principal Secretary (G.A.D.) Government of Andhra Pradesh, Hyderabad - A.P.
2 The Andhra Pradesh Public Service Commission, Rep. it's Principal Secretary, A.P.P.S.C., Hyderabad - A.P.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ Order or Orders or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents as illegal, arbitrary, unconstitutional and in violation of Principles of Natural justice and consequently direct the respondents herein to notify the total number of the remaining vacancies if any and call for the candidates within the ration of 1:50 for Group I main examination and may pass such other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case and in the interest of justice.

Counsel for the Petitioner: MR.M.PARTHA SARATHY

Counsel for the Respondent No.1: G.P. for GAD.,

Counsel for the Respondents: MR.M.VIJAY KUMAR, S.C. for APPSC.

The Court at the stage of admission made the following:

ORDER:

Since the dispute relates to recruitment to State service, this writ petition under Article 226 of the Constitution of India cannot be maintained. However, it is open to the petitioner to workout the appropriate remedy before the Tribunal constituted under the Administrative Tribunals Act, 1985. Accordingly granting leave and liberty, the writ petition is dismissed. No costs.

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G. ROHINI, J

Dated: 29-04-2005

LSK